

REMARKS

The specification has been amended to make editorial changes to place the application in condition for allowance at the time of the next Official Action. These changes are consistent with the figures. Specifically, Figures 3 and 7 do not present new matter.

Claims 1-50 are pending in the application. Claims 1, 3, 5, 29, 31 and 33 were examined as being directed to the elected species.

Claim 5 is amended to address the claim objection noted in the Official Action.

Claim 1 is amended to address the 35 USC §112, second paragraph rejection noted in the Official Action.

Claims 1, 31 and 33 are rejected as being unpatentable over applicants' disclosed prior art in view of SONEHARA et al. ("A New Twisted Nematic ECB (TN-ECB) Mode for a Reflective Light Valve"). This rejection is respectfully traversed.

Claim 1 provides among other features an optical absorbing layer provided rearward of a color filtering layer in the light-incident direction between a first substrate and a color filtering layer.

By way of example, Figure 3 of the present application shows optical absorbing layer 106 provided

rearward of the color filtering layer 105 in the light-incident direction, wherein the light-incident direction is from top to bottom or forward to rearward as indicated by arrow 100 in Figure 3. The optical absorbing layer 106 is between the first substrate 107 and the color filtering layer 105.

The Official Action has set forth that the elements disclosed with respect to Example 3 of the admitted prior art are in the same position as recited in claim 1. However, this understanding of the disclosed prior art appears to be in error. Specifically, the disclosed prior art disclosed on page 6, lines 4-15 of the present application refers to Japanese Unexamined Patent Publication No. Hei-7-239471 as previously set forth on page 5, lines 27 and 28 of the present application. A copy of the abstract of the aforementioned application is submitted herewith that shows the position of the layers as disclosed on page 6, lines 4-15 of the present application.

Specifically, going from top to bottom as seen in the figure accompanying the abstract of the Japanese application, the light absorbing layer 40 is beneath or rearward of the lower substrate 22, such that the lower substrate 22 is between the light absorbing layer 40 and the liquid crystal layer 30, not that the optical absorbing layer

is between the first substrate and the color filtering layer as recited in claim 1 of the present application.

SONEHARA et al. are only cited for the teaching of a reflective LCD. SONEHARA et al. do not teach an optical absorbing layer and therefore could not teach an optical absorbing layer provided rearward of said color filtering layer in the light-incident direction between the first substrate and the color filtering layer as recited in claim 1 of the present application.

The above-noted feature is missing from each of the references, is absent from the combination, and thus is not obvious to one having ordinary skill in the art.

Claims 31 and 33 depend from claim 1 and further define the invention and are also believed patentable over the cited prior art.

Claim 3 is rejected as unpatentable over applicants' disclosed prior art in view of SONEHARA et al. and further in view of KANEKO 6,295,108. This rejection is respectfully traversed.

KANEKO is only cited for the teaching of a scattering layer. KANEKO does not teach an optical absorbing layer provided rearward of a color filtering layer in the light-incident direction between a first substrate and the color filtering layer as recited in claim 1 of the present

application. As set forth above, the combination of the disclosed prior art and SONEHARA et al. does not teach or suggest what is recited in claim 1. Since claim 3 depends from claim 1 and further defines the invention, the combination of references would not render obvious claim 3.

Claim 5 is rejected as unpatentable over applicants' disclosed prior art in view of SONEHARA et al. and KANEKO and further in view of HOMMA et al. 6,226,461. This rejection is respectfully traversed.

HOMMA et al. are only cited for the teaching of a macromolecular liquid crystal element as a diffusion plate (scattering layer) including two transparent electrodes opposed to each other. HOMMA et al. do not teach or suggest an optical absorbing layer provided rearward of a color filtering layer in the light-incident direction between a first substrate and the color filtering layer as recited in claim 1 of the present application. As set forth above, applicants' disclosed prior art in view of SONEHARA et al. and KANEKO do not disclose or suggest what is recited in claim 1. Since claim 5 depends from claim 1 and further defines the invention, the combination of references would not render obvious claim 5.

Claim 29 is rejected as unpatentable over applicants' disclosed prior art in view of SONEHARA et al. and

further in view of KUBOTA et al. 6,551,667. This rejection is respectfully traversed.

KUBOTA et al. are only cited for the teaching of a liquid crystal display wherein the liquid crystal material includes a macromolecular organic compound. KUBOTA et al. do not teach or suggest an optical absorbing layer provided rearward of a color filtering in the light-incident direction between a first substrate and the color filtering layer as recited in claim 1 of the present application. As set forth above, applicants' disclosed prior art in view of SONEHARA et al. do not disclose or suggest what is recited in claim 1. Since claim 29 depends from claim 1 and further defines the invention, the combination of references would not render obvious claim 29.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

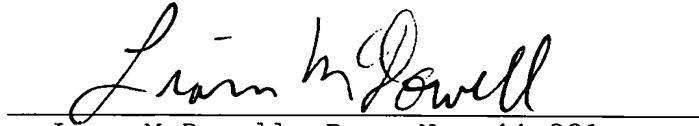
The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any

Application No. 09/938,661  
Reply to Office Action of November 6, 2003  
Docket No. 8008-1034

additional fees required under 37 C.F.R. § 1.16 or under 37  
C.F.R. § 1.17.

Respectfully submitted,

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Appendix:

The Appendix includes the following item:

- copy of the abstract of JP 7-239471